

INEBRIETY AND IMBECILITY:

A MEDICO-LEGAL STUDY.

Compliments of Author.

BY

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The following records of two cases brings into prominence again the old conception of inebriety, and the recent modern view accepted by the more intelligent courts and jurors.

In March, 1894, John Cronin was tried and convicted for the murder of Albert Skinner. The facts relating to his crime are these: He was a farm laborer, thirty-seven years old, living about Hartford. He has been a periodic drinker since early life, and when sober is a quiet, peaceable man; when drinking is excitable, irritable, abusive, and often quarrelsome. He has been arrested and confined in jail twice for intoxication. His drink periods have been growing longer, and the sober intervals shorter for the past few years. He has been growing more irritable and stupid when drunk lately.

For at least two weeks before the crime was committed he was idle and drank continuously. He was intoxicated on the night before the murder. A few weeks before this time he had a drunken altercation with the man he shot, and at that time made a threat to shoot him. Amicable relations were re-established, and he seemed to be on good terms again with this man with whom he had formerly boarded and been very intimate.

On the morning of Oct. 6, 1893, he went to the house of this man, Albert Skinner, and without a word of provocation shot him at the breakfast table. He was pushed and thrown out of the house twice in a few minutes, and stood round on the street near the house with a revolver in his pocket making no attempt to shoot again, and coolly boasting of what he had done; submitting to restraint and expressing a wish to

shoot others also, justifying himself and affirming that he was ready to accept the consequences and be hung, and if he was permitted would kill others. These expressions of regret that he had not shot more persons were repeated several times.

He was recognized as having been drinking by his breath and strange actions, but several witnesses thought he was fully conscious of his acts and their consequences.

For the next two days all the witnesses seem to agree that he was in a semi-dazed condition of mind, indifferent to all surroundings and would not talk. After this his manner changed, and he responded to inquiries and conversed, claiming not to recollect any of the past occurrences and the crime. He said that Skinner, the murdered man, was the best friend he ever had.

This crime was characterized by two very unusual lines of conduct.

1. Shooting the man in open day in his own home, without a word of provocation, boldly and under the possible observation of many persons ; firing only one shot and standing round to see the result, being pushed out of the door by the wife of the murdered man, and going back into the house again, was thrown out by the son ; also making no attempt to shoot other persons or run away.

2. Offering no resistance when the pistol was taken from him, submitting to arrest, acknowledging the crime, and in violent language expressing a desire to repeat the act on the murdered man and others, and take the consequences. His cool indifference and violent expressions unaccompanied by acts or delirious excitement, seemed to those about him not to indicate drunkenness, although his breath was strong with the odor of spirits and his manner was strange and unusual.

Thirteen months after the commission of the crime I examined him in the State prison. During all these months he has been free from spirits, and it would be natural to expect that his condition of body and mind would be very near normal.

His appearance was that of a stout, short-built man, with

a small, irregular-shaped head, retreating forehead, sunken, tremulous eyes, large stigmatic ears, and high palate arch. He walks with a shuffling, unsteady gait, and when seated supports his head on his hands, and seldom looks up. He answers questions slowly and with hesitation, and seems in doubt unless the questions are direct and repeated. The answers begin in a natural tone of voice and drop down to a whisper at the close of the sentence. This hesitation and doubt differ widely from the cunning reserve of one who would conceal his mental operations in the apparent feebleness and effort to give some answer and overcome an evasion and incapacity for sustained reason or explanation of any event. The impression he gives is that of a naturally defective brain, already approaching and evidently in the penumbra region of imbecility.

He appears in fair health, and without delusions, and profoundly indifferent to any past, present, or future conditions. As a result of persistent questioning the following facts were brought out, most of which have been confirmed from other sources, hence they are generally correct. He was intoxicated at about fifteen years of age, and has used spirits continuously, and at times to great excess up to the present. He both drinks alone and in company, and when intoxicated has little or no recollection of what he does or says. His memory has never been good. At times he can recall events when drinking, at others they are a blank. Concerning the homicide he has no recollection of it; the blank of memory extends from the night before the crime to some time after being placed in jail.

He cannot understand why he should have shot Skinner, as he was his best friend. He gave the history of a fall on his head with a period of unconsciousness, and a scar showing a scalp wound was exhibited as evidence of it.

Three years ago he was made unconscious by a fall from a train and laid up with injuries of the back and knee for two months. He has been struck on the head several times when drinking and made unconscious. For the past few

years when drinking he has been more irritable and quarrelsome, and been told that he was crazy at those times. He makes no complaint against any one, and expresses no sorrow or indignation at anything concerning the crime or trial. He is strangely indifferent concerning his life, and would not escape if he could, but is ready to die at any time. It makes no difference to him what the result may be.

Concerning the future he has been told that by repentance one can go to heaven ; if this is a mistake he will accept the situation. His wishes are of no account, "as the Lord and the law will have their own way." No questions of his moral responsibility and guilt in this crime excite any emotion or nervousness or apparent realization of his condition. He expresses himself coolly and with utter unconcern. At times a half imbecile smile would appear when he could not answer the question, and did not know what to say. There was no irritation or excitement or depression or annoyance from questions which were pressed, and if different answers were suggested he would select the briefest one.

When the same question was put in a different form, he seemed not to realize it but answered in monosyllables, irrespective of any previous answer. In all this there was no criminal cunning or attempt to conceal or to appear crazy, but clearly the natural working of a feeble and imbecile mind. He seemed to have a remarkably abnormal brain, in which all the higher functions were paralyzed, and the normal consciousness of duty and responsibility were absent.

A study of the heredity of this case was startling. His near relatives on both his father's and mother's side were hard drinkers, and on his mother's side insanity and epilepsy appear frequently. None of his relatives exhibited anything more than a very low order of intelligence.

His maternal grandparents were William and Mary Callahan of County Antrim, Ireland. William died in middle life, and Mary lived to be sixty years old, and was insane for some years before her death. Catherine, the oldest daughter, and aunt of John Cronin, became insane from the death of

her child and the desertion of her husband, recovering in part and coming to this country, where she died in middle life. Michael, the second child, was early addicted to drinking intoxicants, and his mother tried to kill the appetite by mixing snuff with his drinks. He enlisted in the English army, was discharged insane, and wandered about in the woods and finally died of exposure. Thomas Callahan, the second son, lives in Hartford, and is a respectable man. He drank until he was fifty years of age ; since which time he abandoned the habit. He testified as to the facts of his nephew's ancestry before the board of pardons, and appeared to be a quiet man, "thick" in his memory, and in the appreciation of what the counsel was trying to bring out.

Margaret Callahan, the youngest child of William and Mary, and the mother of John Cronin, was a nervous, excitable girl, who went to Wales with her older sister, Catharine. There she married Peter Cronin, a Welsh miner, of a boisterous nature and a man who drank to excess. His wife drank with him daily, and they lived in a state of perpetual trouble. At last Peter was murdered in a drunken row, and Margaret became insane for a time. Her sister Catherine took her home and adopted John Cronin, who was one year old at the time. He lived with his aunt until he was eight years old, when he was put out to work.

His mother, Margaret, came to this country and married a man named Moran, who is now dead. There were three children by this marriage, one dying in early life, and two daughters surviving. One of these, Mrs. George Somers, is subject to epileptic fits, is a hard drinker, and has attempted suicide. She has been in the county jail in this city for drunkenness.

Margaret Moran, the mother of John Cronin, is well known to the authorities of Hartford. She has been a drinking, troublesome woman during her long residence in and about Hartford, and was surrendered to the authorities by her brother, Thomas Callahan, after he had endured her boisterous and wild ways, while under the influence of drink, as long

as he could. She is now an inmate of the almshouse in this town, where she has been for nearly five years.

This brief sketch of Cronin's ancestry shows that his father and mother were both inebriates, an uncle and aunt were insane, and a half sister is a drinking, epileptic degenerate. Of the direct stock of his father, John Cronin was the last, and of his mother the worst.

In these facts a very clear history can be traced of what is well known as alcoholic insanity of the imbecile and epileptic class, the prominent symptoms of which are a marked degenerating heredity, usually from an alcoholic insane or idiotic ancestry: or practically from a dying family, where the race stock is exhausted, enfeebled, and approaching extinction. Alcoholism in such a family is a symptom of progressive degeneration. The drinking is always followed by insane, epileptic, and impulsive conduct. When not drinking apparent sanity and normal conduct may be the rule, but the strain of alcohol on a defective brain will bring on homicide, suicide, or epileptic explosions. The use of alcohol is always followed by delirious conditions, delusions, and strange, unusual acts.

Failures of memory are common symptoms, and may be total or partial. After a time a progressive palsy of the higher brain functions appears. In most of these hereditary defects this moral palsy and loss of consciousness of right and wrong; of duty and obligation, is an inheritance which the use of alcohol develops. All such cases show this strange indifference and unconsciousness of their acts and the consequences. The man's talk and conduct in a criminal act is only a link in the chain; by itself it may display a cunning, deliberation, mature judgment, and recognition of all the consequences, and yet when the other links in the history are known, it will be found to be the act of a clearly insane man.

The act of shooting Skinner with foolish boasts and general conduct, noted by great coolness and indifference, is a good illustration. What he did and said at this time and the impression he created on the minds of persons about him, is

a small part of his history, and when judged alone may be very misleading, but taken in connection with all the facts of his life, points out the real condition of health or disease. It is evident that Cronin's mental condition at the time of this homicide must be judged from the facts of his inheritance, from the facts of his surroundings and manner of life, also from his conduct and acts when sober and drinking, and from all the circumstances and conditions which have been influential in his history.

The State assumed that Cronin had a low criminal brain, capable of deliberation and premeditation, and with power of control. That he could reason clearly concerning his acts and their consequences. That in the crime he displayed malice and revenge and full consciousness of the nature of this act, and the legal penalties.

That he was not only conscious of his conduct, but had the power of control and concealment, to take advantage of favoring conditions. That he has been and is of sufficient mental capacity to distinguish between right and wrong in the abstract, and at the time of the crime was of sound mind. That his claim of no memory of the act and cool indifference are mere subterfuges for concealment.

The fact of his periodical intoxication and drinking the day before the crime were assumed to be aggravations and additional evidence of his responsibility.

I urged that Cronin could not have a sound brain ; that his twenty years of drinking had so fixed and intensified the inherited defects that he could not reason or discriminate soundly ; that in some respects his conduct would be automatic, where the motives and conditions of living were the same, but change these and his disease would be seen. Also, he had a defective brain, showing great disturbance from the use of alcohol, would always be swayed by morbid impulses of any form, and crime, suicide, and other abnormal acts would be the rule and not the exception.

Many authorities have pointed out the evident unsoundness of degenerative neurotics, who were alcoholics of long standing. The acts of such persons are always open to sus-

picion, and where crime is committed there is always a doubt. Unusual strange conduct can only be explained on the theory of brain degeneration and disease. While it may lack many of the symptoms of so-called insanity, it will nevertheless show degrees of palsy and brain disorder that cannot be mistaken.

This case was finally decided by the Board of Pardons, and Cronin was hung Dec. 19, 1894. He maintained the same stolid indifference to the last, sleeping soundly up to a short time before the execution.

The second case was tried at Norwich, Conn., in May, 1894, and was that of Michael Donovan, who shot and killed John Bell, some months before. Donovan was a laborer, in charge of a stationary engine, forty-five years of age, and a man of quiet, peaceable character. He was married and had a grown-up family, and was a retiring, hard-working man. For five years he had used spirits to excess at irregular times and intervals, and was always silent and stupid when drinking, never quarrelsome or violent. During the year 1893 Donovan had drank more than usual, and been stupid nearly every night. In December of that year Bell, a colored man, called him insulting names and was very abusive for some supposed slight. At this time Donovan paid no attention to this, saying he was not worth noticing, and appeared to be in no way disturbed by Bell's insults. Two days after he took an old revolver to a shop to be repaired and loaded, and told several persons he was going to shoot Bell. He drank several times and showed the revolver, and affirmed that he was going to find Bell and kill him. This he did in a short time, and without any words or apparent excitement, he shot at Bell, and finding that he staggered and fell, fired his pistol in the water and replaced it in his pocket. Quietly walking back he stopped to drink at two saloons, telling the bar-keepers that he had shot Bell, then went home, changed his clothes, and walked over to the station-house, giving himself up

That night and next day he suffered from delirium and delusions, and was treated as suffering from a mild attack of

delirium tremens. He soon after recovered and denied all recollection of the circumstances of the crime. From this time on to the time of trial he was quiet, indifferent, and seemed not to be interested in any thing, and only manifested emotion when visited by his family. When examined in jail he seemed to be dull, and, although in fair physical health, was strangely indifferent to the results of the trial; expressed sorrow for having killed Bell, and did not remember the facts of the crime, and seemed to be unconcerned. He could not give a connected account of the difficulties which led up to the crime, and the suspected motive for shooting Bell, who had threatened to have him turned away. His mind seemed confused as to events and his own conduct for some time past. In the history of his family an uncle, on his mother's side, became insane in middle life, and was confined in an asylum until death. Donovan had been a moderate drinker up to about forty years of age, when he began to have distinct drink paroxysms. These increased in frequency and duration, until finally he drank steadily every day. The past six months he drank almost every hour, and was many times unfit for work. He complained of his head feeling bad, and said he was "not right" from the time of an injury from a fall from a wagon. In a conversation with the medical expert for the State two days later, he described the act of killing, denying that he had said he was going to kill Bell, and in a disjointed way, explaining why he had shot Bell. His statements were opposed to the testimony of other witnesses, and seemed to be based on the history of the crime repeated by others.

Two experts swore that he was sane at the time of the crime, and was conscious of his acts and their consequences. Two experts for the defense affirmed that it was a clear case of alcoholic imbecility and unconsciousness of the crime, and at present he was of a low order of intelligence, with unsound, degenerative brain. They further urged, that the cool preparation for the crime, and telling others what he was going to do, and the act in broad daylight, where he was seen by others, was clearly insane. Such

conduct, following excesses in the use of drink, could not come from a mind sane and conscious of the acts committed.

The counsel for the defense, Messrs. Hull of New London and Thayer of Norwich, urged that there was more than reasonable doubt of the soundness of the prisoner's mind at the time of the commission of the crime. Also, that his excessive drinking before the crime would of necessity so far impair his reason and judgment that any unusual acts would be more or less insane, and be committed without conscious reason. They urged that this crime in its boldness and strange premeditation and execution, and his delirious condition after, was strong proof of insanity. The experts for the defense argued that the man at the time the crime was committed, was suffering from alcoholic dementia, and when confined had an attack of delirium tremens, from which he recovered with an enfeebled demented brain, and at present is in a low paretic condition. The verdict was manslaughter and imprisonment for life. This was a rational, modern disposition of the case. In New York State such a case would be sent to the asylum for insane convicts. In Connecticut he would be under observation at the State prison, and when pronounced symptoms of insanity appeared, would be sent to the insane asylum. Both of these cases were alike in the well-marked evidence of imbecility, due directly to alcohol. In the Cronin case, the heredity intensified and made the degree of degeneration very clear, and placed the assumption of insanity and unconsciousness without power of control beyond all possible doubt. In the later case, Donovan's conduct before and during the commission of the crime, and after, clearly indicated the impossibility of mental soundness. Neither of these cases were able to reason rationally, or to form motives, and to act upon them with consciousness of their import and consequences. The hanging of Cronin ignored all modern facts concerning the brain and its disorders, and was a reversion to the theories that prevailed two centuries ago. Donovan's sentence recognized the dawn of a new era in jurisprudence and progress along the lines of development, with clearer conceptions of the relations and limits of responsibility.